

REMARKS

Claims 1-22 are currently pending in the present application, with Claims 1, 10, 14, and 18 being amended. Reconsideration and reexamination of the claims are respectfully requested.

The Examiner rejected Claims 1-21 under 35 U.S.C. § 103(a) as being unpatentable over Sato (JP-8-293039A) in view of Ohba (JP-3-216767A). This rejection is respectfully traversed with respect to the amended claims.

As previously communicated, the present invention is directed to a method and apparatus for animating a video object whereby movable parts of an animated object move in accordance with music. Specifically, music control information is provided whereby the information includes different types of music control event data, such as different types of MIDI data ("types" of MIDI data are generally understood to include MIDI events such as "note on," "note off," etc). A particular type of event data may be selected, from a list of a plurality of types of event data, by a user using a parameter setting module (such as the graphical user interface illustrated in Fig. 7 of the present application). The selected type of event data can be designated to correspond with certain movable parts of the animated object. Music and video images are then generated whereby sounds and video images are generated in response to the music control event data (such as MIDI data), and whereby the movement of the movable parts of the animated object is controlled in accordance with the selected settings (i.e., each movable part responds to a particular type of event data selected by the user). To illustrate Fig. 7 shows that each part of an animated object (such as left elbow, right arm, head, etc.) can be separately programmed to respond to a particular type of MIDI data (such as a note-on event) from a particular channel of music information. Thereafter, each instance during which a selected event data is received, the corresponding moving part would respond.

As previously communicated, neither Sato nor Ohba contain any disclosure or suggestion of providing music control data containing multiple types of event data whereby different types of event data is selected and designated to correspond with different movable parts of an animated object. As explained, Sato is directed to a musical image conversion device whereby

the device detects volume, pitch, peaks and chords of a musical signal and generates a motion image based on the detected results. Sato simply does not, as the Examiner stated in ¶ 8 of the Detailed Action, teach or suggest “apply MIDI signals for controlling the synchronization of music and the movement of the parts of the objects.” Rather, Sato simply uses MIDI data to generate music, and, as stressed above, detects the volume, pitch, peaks, and chords of the generated musical signal to generate a motion image. The motion image is simply not generated or controlled by MIDI data. As the Examiner acknowledged in page 4 of the Detailed Action, Sato simply does not disclose selecting and setting the types of event data to the movable parts of the object such that the respective parts correspond to the type of selected event data. Furthermore, as the Examiner also acknowledged in page 4, Sato does not suggest or discuss controlling the movements of the respective movable parts in correspondence to the type of event data included in the music control information.

Applicants respectfully submit that Ohba fails to make up for the deficiencies of Sato. Specifically, as previously explained, Ohba is directed to an image production device whereby intervals, rhythm, and length of musical tones generated according to musical signals are detected, and whereby synthesis parameters are generated for changing the shape of an image according to the detected results. More specifically, Ohba teaches pre-storing into an image memory fundamental shapes associated with the motions of the legs and arms of an animated character. At the same time, parameters associated with the motions of legs, arms, and display position of the character are stored in a parameter memory. The stored parameters are used to designate timing points on a timing axis for displaying one of the pre-stored shape images at those time axis. It is important to understand that the parameters disclosed in Ohba (i.e., Q, R, and S) are not music control event data. Rather, they are time-indicating parameter data for designating time points at which the different stored images are displayed. When MIDI signal is received, Ohba teaches detecting the scale, stress, and length of the sounds generated by the MIDI signal, and generate parameters RQ, RR, and RS based on the detected values of the sound, each of which are weighted by coefficients to generate synthesizing parameters for

varying the image displayed. Similar to Sato, Ohba simply does not contain any disclosure of selecting and setting specific type of music control event data to trigger a corresponding movement by a particular moving part of an animated object.

More importantly, neither reference contain any disclosure whatsoever of selecting, via a parameter setting module (such as a graphical user interface illustrated in Fig. 7), a type of music control event data from a plurality of music control event data for corresponding to a movable part of animated object. The Examiner's statement in page 4 of the Detailed Action that Ohba, in pages 1 and 2 and as shown in Figs. 2 and 3, discloses selecting and setting motions of the legs and arms such that the parts correspond to types of event data is simply not supported by the contents of Ohba, which does not remotely show selecting musical control data to correspond with a movable part of an animated object. Accordingly, Applicants respectfully submit that amended Claims 1-21 are not anticipated by, nor obvious in view of, Sato or Ohba, either alone or in combination.

The Examiner rejected Claim 22 under 35 U.S.C. § 103(a) as being unpatentable over Sato in view of Ohba. This rejection is respectfully traversed. Specifically, Ohba does not contain any disclosure of selecting and setting a channel of music control information from a plurality of channels using a parameter setting module. Ohba makes no mentions anywhere of a plurality of music channels from which one particular channel can be designated for a particular moving part of an animated object. Applicants are respectfully unclear as to where in Ohba the Examiner believes mentions channels of music. Moreover, Ohba does not discuss or suggest a parameter setting module for use in selecting the channel. Accordingly, Applicants respectfully submit that Claims 22 is not anticipated by, nor obvious in view of, Ohba.

In view of the foregoing, Applicant respectfully submits that all of the claims are in condition for allowance. Reconsideration and reexamination of the claims are requested, and an early allowance is solicited. If the Examiner believes it would further advance the prosecution of the present application, or if she has any further questions regarding the present application or


the background technology generally, Applicants respectfully request the Examiner to contact the undersigned attorney.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant(s) petition(s) for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 39303.20052.00.

Respectfully submitted,

Dated: January 13, 2004

By:


David T. Yang
Registration No. 44,415

Morrison & Foerster LLP
555 West Fifth Street
Suite 3500
Los Angeles, California 90013-1024
Telephone: 213/892-5587
Facsimile: (213) 892-5454